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MAY 19 2008
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MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT.

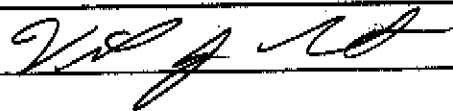
Old case # 1:06-cr-00484

New case # 08C2447

My name is Vincent John Tenuto. I am filing a affidavit from my father Pasquale V. Tenuto in support of the 2255 motion I have previously filed.

Certificate of Service

I, Vincent John Tenuto, swear under penalty of perjury that I served a copy of the attached document on court clerk by placing it in the mail at the FSL Elkton Correctional Center on May 13th, 2008



Vincent J Tenuto

AFFIDAVIT OF PASQUALE V. TENUTO

I, Pasquale V. Tenuto, hereby state the following:

1. I, Pasquale V. Tenuto, am the father on Vincent John Tenuto, the defendant in *United States v. Vincent John Tenuto*, Case No. 1:06-cr-00484. I am known to my friends and others at Pat Tenuto for short.
2. Attorney John Donlevy took over representation of my son Vincent's case after attorney John Bickley died. Mr. Donlevy was the attorney for responding to the probation office's sentence report and representing my son at the sentencing hearing.
3. I met Mr. Donlevy for the first time on May 2, 2007, the date that the judge sentenced my son. I spoke to Mr. Donlevy before the hearing. Mr. Donlevy stated that (a) the points from the probation office's sentencing report would be lowered, (b) no jail time would be imposed, and (c) my son Vincent would get sentenced to probation.
4. After sentencing, I asked Mr. Donlevy to explain what had just happened. Mr. Donlevy said that the sentencing points went up, and then went down, and that my son did not get probation. I asked Mr. Donlevy why the points he was arguing about went against Vincent and why he lost the arguments. He appeared not to know, like he was surprised by the decisions, and it seemed that he had not taken the time to find out why his arguments could not work.
5. Because the sentence was so different from what Mr. Donlevy had said before court, I asked him about filing an appeal. Mr. Donlevy told me that (a) it would be a waste of time to appeal and (b) not to bother. I wanted to talk more about appealing because it seemed like


he had been so confident the arguments would win. If the arguments lost, I did not understand why they could not be appealed. Mr. Donlevy was not interested in talking about the appeal. It was obvious that he was in a hurry to get to the clerk's office to pay a fee or a fine. When the cost was paid, Mr. Donlevy left the building and that was the last time I saw him.

6. I learned later that, because I did not get a good answer about appealing, Vincent called Mr. Donlevy himself.

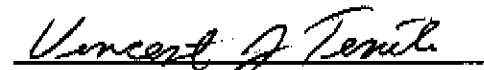
Further Affiant sayeth naught.

STATE OF ILLINIOS)
)
COUNTY OF Cook) Sworn and subscribed:

Paquale V. Tenuto, being first duly cautioned and sworn, deposes and states that the facts set forth in the foregoing affidavit are true as he verily believes.


Paquale V. Tenuto

Sworn to before me and subscribed in my presence this 30 day of April 2008.


Notary Public

